

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MICHAEL HOWARD HUNTER,

Petitioner,

v.

SPOKANE COUNTY SHERIFF,

Respondent.

NO. CV-09-286-CI

JUDGMENT

DECISION BY THE COURT:

This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Court **ADOPTS** the Report and Recommendation in its entirety, and the Petition is **DENIED** without prejudice, as it is ancillary to a prior habeas petition, cause number CV-09-166-CI, which is presently on appeal to the Ninth Circuit Court of Appeals. All pending motions are **DENIED as moot**, and Judgment is entered.

DATED: November 9, 2009

JAMES R. LARSEN
District Court Executive/Clerk

s/ L. Stejskal, Deputy Clerk